

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

DEC 19 2022

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO DOMINGUEZ LOPEZ,

Defendant.

Cause No.: DR22-CR-02409-AM

STIPULATION OF FACTS

The United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant U.S. Attorney, the Defendant, and Defense counsel hereby stipulate that if this matter were to proceed to trial, the United States would establish by legal and competent evidence the following facts beyond a reasonable doubt:

On September 30, 2022, at approximately 9:20 a.m., a gray Toyota Tundra arrived at the primary inspection lane at the Del Rio, Texas port of entry within the Western District of Texas. The driver was identified as Francisco Lopez Dominguez (hereinafter "Defendant"). The Customs and Border Protection officer, (hereinafter "CBPO") that was manning the inspection lane asked Defendant if he was traveling with anyone and whether he had anything to declare. Defendant replied that was traveling by himself and that he did not. CBPO asked Defendant what he had in the backseat area of the vehicle. Defendant advised that it was just luggage.

CBPO directed Defendant to place the Tundra in the park position and unlock the back passenger door to allow her to inspect the backseat area. After appearing to struggle with the unlocking the doors electronically, Defendant eventually unlocked the back passenger door. CBPO lifted a few bags in the backseat and floor area and found a seven-year-old female shaking under

a blanket and a suitcase. CBPO asked Defendant again whom he was traveling with, and Defendant insisted he was traveling by himself. CBPO directed Defendant to hand her the keys to the Tundra and step out of the Tundra.

Upon further inspection of the backseat area, CBPO found an adult female, identified as Perla Lucero Oranday Martinez. CBPO later determined that Oranday Martinez was the mother of the seven-year-old female found in the backseat area. Defendant then stated he was traveling with his wife and daughter. CBPO determined that Oranday Martinez and the 7-year-old female were citizens and nationals of Mexico without legal authority or documentation to have entered or remain in the United States.

Defendant was advised of his constitutional and statutory rights (*Miranda*) in a language he understood, which he waived, agreeing to speak with agents without an attorney present. In his post-*Miranda* statement, Defendant stated he attempted to smuggle his future wife and her daughter into the United States. Defendant said he picked them up in Saltillo, Coahuila, Mexico, and traveled to Acuña, Coahuila, Mexico, before crossing the international bridge into the United States. Defendant stated that no one asked him to transport Oranday Martinez and her daughter and that no one was going to pay him for their transportation.

Defendant, Francisco Dominguez Lopez,” now accepts responsibility and admits that on September 30, 2022, in the Western District of Texas, he knowingly, voluntarily, and willfully transported an alien who had entered or remained in the United States in violation of the law, that Defendant knew said alien was unlawfully present in the United States, that Defendant transported said alien within the United States with intent to further the alien’s unlawful presence, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) & (B)(ii).

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

By: Marta W. For
EKUA ASSABILL
Assistant United States Attorney

I have carefully read and reviewed the entirety of this Stipulation of Fact, or it has been read to me (and if necessary, translated for me) and reviewed with me by my attorney. After careful consideration and discussion with my attorney, and fully understanding my rights with respect to the pending criminal charge(s), I knowingly and voluntarily agree the above Stipulation of Facts is true and accurate, and had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Signed this 6th day of December, 2022.

Francisco Dominguez Lopez
FRANCISCO DOMINGUEZ LOPEZ
Defendant

I am counsel for Defendant. I have fully explained to Defendant all of Defendant's rights with respect to the pending criminal charge(s). I have carefully reviewed this Stipulation of Fact in its entirety with Defendant and provided Defendant with my best professional advice. In my opinion, Defendant's decision to agree to this Stipulation of Fact made voluntarily, and with full knowledge of its obligations and consequences.


Signed this 6th day of December, 2022.

John A. Gomez
JOHN ANTHONY GOMEZ, III
Defendant's Attorney

Adopted and approved this 19 day of Dec, 2022.



THE HONORABLE ALIA MOSES
Chief United States District Judge


Honorable Roberto Garcia
U.S. Magistrate Judge